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PART II - MISCELLANEOUS NOTIFICATIONS OF INTEREST TO THE PUBLIC

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NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,

**CHIEF EXECUTIVE OFFICER,
A. P. STATE WAQF BOARD,**

4th FLOOR, IMDADGHAR , OPP: KALESWARAO MARKET, VIJAYAWADA.

F.No.01/NTR/M/2022.

Date: 02-05-2023.

NTR DISTRICT - IBRAHIMPATNAM MANDAL - DECCAN MAHALLA MOSQUE @ MASJID E ALHAJ SITUATED AT KONDAPALLI VILLAGE - 1).Sri.MD.MAHMOOD ALI, 2). Sri. MD.MASUD ALI & 3). Sri. MD. MANSUR ALI, SONS OF MD MUKARRAM ALI ARE APPOINTED AS MUTAWALLIES U/SEC.63 OF THE WAQF ACT, 1995 FOR A PERIOD OF TWO (2) YEARS.

- Read :
1. This office proceedings No. B3/15/KRN/97,dated: 14-08-1999 & 01-06-2007.
 2. Representation received from Sri.Md. Mukram Ali, S/o. Md. Yusuf Ali. D.No.9-176, Aarupampula Center, Kondapalli, NTR District, dated: 10-10-2022.
 3. This Office memo No., dated:17-10-2022.
 4. Representation of Mussallies of Mosque, dated:22-10-2022.
 5. Report of I.A Waqfs, NTR District, vide Lr.No.02/Waqf/KSN/NEMM/2021, dated:27-10-2022.
 6. This office Notification, dated:07-11-2022.
 7. Objection petition of Sri. Shaik kousar Subhani, dated:22-11-2022.

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8. Report of the I.A. Waqfs, NTR District, vide 02/Waqf/KSN/NEMM/2021, dated:24-11-2022 along with paper notification publication clipping of Sakshi Telugu daily District edition of NTR District, Dated: 09-11-2022.
9. This office intimation to Sri. Shaik Kousar Subhani, Kondapalli, Dated: 23-01-2023
10. Board's Resolution No.677 of 2023, dated:03-02-2023.
11. Report of I.A Waqfs, NTR District vide inF.No.02/Waqf/KSN/NEMM/2021, dated:20-02-2023.
12. Orders of the Competent Authority / Special Officer, APSWB, Dated: 01 -05-2023.

ORDER:

The Waqf Institution namely Deccan Mahalla Mosque @ Masjid-e-Alhaj situated at Konadapalli Village, Ibrahimpatnam Mandal Krishna District is a notified Waqf and got published in A.P. Gazette No.26, dated:28-06-1962 at Serial No.770 in page No. 712 & 713. The said institution is having attached lands at Kondapalli in TD.No.25 covered in Sy.No.156 to an extent of Ac.4.96 cents under the Towliath of Sheik Mohiuddin. The Rule of Succession to the office of Mutawalli specified as "Elected".

In the ref. 2nd read above, a representation has received from Sri.Md. Mukram Ali, S/o.Md.Yousuf Ali, R/o. Kondapalli Village, Ibrahimpatnam Mandal, NTR District with a request to recognize his sons i.e 1).Sri.Md.Mahmood Ali, 2). Sri. Md. Masud Ali & 3). Sri.Md.Mansur Ali, as Mutawallies to the subject Waqf institution Deccan Mahalla Mosque @ Masjid-e-Alhaj situated at Kondapalli Village, Ibrahimpatnam Mandal NTR District. As a part for further course of action in the said matter this office has called detail report along with relevant documents from the I.A Waqfs, NTR District vide ref. 3rd read above.

In the ref. 5th read above, the I.A Waqfs, NTR District has submitted his report and informed that the AP State Waqf Board Authorities have appointed Sri.Md.Mukaram Ali, S/o. A.H.M.Yousuf Ali as Mutawalli to the subject institution vide Proceedings No. B3/15/KRN/97, dated:16-06-2005 and then after modified proceedings were issued on 01-06-2007 by deleting period of time.

The I.A Waqfs, NTR District has further reported that Sri. Md.Mukaram Ali is maintaining subject institution and its attached property in Sy.No.156 to an extent of Ac.4.96 cts and paid Waqf fund regularly and Sri.Md.Mukarram Ali is at the age of (80) years old and he is unable to look the day to day affairs of the subject institution and requested to appoint his sons 1.Md Mahmood Ali, 2. Md. Masud Ali & 3.Md. Mansur Ali as Mutawallies to the subject Waqf institution.

As a further course of action, this office has issued paper notification vide ref.6th cited for calling claims and objections if any for appointment of 1.Md Mahmood Ali, 2. Md.Masud Ali & 3. Md.Mansur Ali sons of Md.Mukaram Ali as Mutawallies to the subject Waqf institutions.

The Inspector Auditor Waqfs, NTR District has submitted report vide ref.8th read above, that the above said paper notification was published in Sakshi Telugu daily District edition of NTR on 09-11-2022 and there were no claims & objections received against the said notification.

Further, an objection has been received against the said notification and the same was rejected by the orders of the Hon'ble Chairperson as no substantial evidence were produced to this office vide ref. 7th read above.

The above subject matter was placed before Board meeting and the Board has passed resolution No.677/2023, dated.03-02-2023 vide ref.10th read above that to defer the matter for the subsequent meetings.

In the ref.11th read above, the I.A Waqfs, NTR District has reported that as per the Boards intimation dated:23-01-2023 he has contacted the applicant on several times through mobile No. 8885930136 which is mentioned in his petition, but the said phone number is invalid and also enquired the local Muslims and the local Muslims are informed that the applicant name person is not known and affix the intimation dated: 23-01-2023 on the notice Board of subject institution on 02-02-2023 in presence of Musallies .

In the ref. 12th read above the matter was placed before the Competent Authority / Special Officer, APSWB who after examining the matter and passed orders to appoint 1.Sri.Md.Mahmood Ali, 2.Sri.Md.Masud Ali & 3.Sri.Md.Mansur Ali sons of Sri.Md.Mukarram Ali as Mutawallies to the subject institution U/sec.63 of Waqf Act, 1995 for a period of two (2) years.

Accordingly, 1.Sri Md Mahmood Ali, 2.Sri.Md.Masud Ali & 3. Sri.Md.Mansur Ali sons of Md. Mukarram Ali are appointed as Mutawallies U/sec.63 of Waqf Act,1995 for Deccan Mahalla Mosque @ Masjid e Alhaj situated at Kondapalli Village, Ibrahimpatnam Mandal, NTR District for a period of two (2) years for managing the affairs of the subject Waqf Institution by following Waqf Act,1995 and Waqf Rules.

The Mutawalli should discharge his legitimate duties strictly as determined in Section 50 of Waqf Act, 1995 read with Rule 20 of A.P. Waqf Rules, 2000 and should follow the instructions issued by the Board from time to time they should submit the Accounts U/sec.46 of Waqf Act, 1995 and Budget U/sec.44 of Waqf Act, 1995 and pay

Waqf fund duly following the provisions laid down U/sec.72 & 77 of Waqf Act, 1995 properly, failing which action will be taken against him U/Sec.61 and 64 of the Waqf Act, 1995 as the duties mentioned below.

- a) To implement the orders issued by the Board from time to time.
- b) To carry out the directions of the Board
- c) To allow inspection of the Inspector Auditor, Waqfs regarding property, accounts, records, deeds and documents relating thereof.
- d) To discharge all public duties.
- e) To do any other Act which he is Lawfully required to do so or under this Act.
- f) He shall render proper and correct accounts of the Institution and its attached properties and shall not suppress any facts.
- g) That the Mutawalli is restricted to grant lease of Waqf property exceeding one year.
- h) The Mutawalli should follow the Norms fixed in Section 56 of the Waqf Act, 1995 while granting Lease of any agricultural lands. He should follow Lease Rules, 2014 to put open auction through A.P. State Waqf Board.
- i) He will not entitled to expend the Monies of Waqf exceeding @ 10% of the Net annual Income.

As per Sec.101(2) of Waqf Act, 1995, "Every Mutawalli of a Waqf, every member of managing committee whether constituted by the Board or under any deed of Waqf, every Executive Officer and every person holding any office in a Waqf shall also be deemed to be a public servant within the meaning of Sec.21 of the Indian Penal Code". As such, for the illegal acts if any, every member of the committee will be liable for penal action. The Mutawalli shall also noted that Sec.3(ee) defined encroacher, Sec. 52-A explain rigorous punishment up to (2) years and Sec.61 speaks penalty and punishment up to (6) months for the lapses / charges shown therein, hence should act carefully diligently and maintain accounts scrupulously.

The APSWB reserves its right to modify / cancel / alter / with hold the order at any time without assigning any reasons thereof.

L. ABDUL KHADIR,
Chief Executive Officer (FAC),
A.P. State Waqf Board, Vijayawada.

To

- 1.Sri Md Mahmood Ali,
- 2.Sri.Md.Masud Ali
- 3.Sri.Md.Mansur Ali

Mutawallies of Deccan Mahalla Mosque @ Masjid e Alhaj,
Situating at Kondapalli Village, Ibrahimpatnam Mandal, NTR District.